



General Assembly

January Session, 2009

Raised Bill No. 6310

LCO No. 2674

02674_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING DIRECT PATIENT ACCESS TO LABORATORY TEST RESULTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-7c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) For purposes of this section, "provider" has the same meaning as
4 provided in section 20-7b.

5 (b) (1) A provider, except as provided in section 4-194, shall supply
6 to a patient upon request complete and current information possessed
7 by that provider concerning any diagnosis, treatment and prognosis of
8 the patient. (2) A provider shall notify a patient of any test results in
9 the provider's possession or requested by the provider for the
10 purposes of diagnosis, treatment or prognosis of such patient. A
11 provider, who requests that his or her patient submit to medical
12 testing for purposes of ascertaining a diagnosis, prognosis or
13 recommended course of treatment for such patient, shall authorize the
14 entity conducting such medical testing to directly communicate the
15 results of such testing to the patient, unless the provider reasonably

16 determines that information that may be directly communicated to the
17 patient would be detrimental to the physical or mental health of the
18 patient, or may result in the patient causing harm to himself, herself or
19 another. In any case where a provider has determined that direct
20 access by the patient to the results of a medical test would not be in the
21 best interests of the patient, the provider shall communicate the
22 reasons for such determination to the patient.

23 (c) Upon a written request of a patient, a patient's attorney or
24 authorized representative, or pursuant to a written authorization, a
25 provider, except as provided in section 4-194, shall furnish to the
26 person making such request a copy of the patient's health record,
27 including but not limited to, bills, x-rays and copies of laboratory
28 reports, contact lens specifications based on examinations and final
29 contact lens fittings given within the preceding three months or such
30 longer period of time as determined by the provider but no longer
31 than six months, records of prescriptions and other technical
32 information used in assessing the patient's health condition. No
33 provider shall charge more than sixty-five cents per page, including
34 any research fees, handling fees or related costs, and the cost of first
35 class postage, if applicable, for furnishing a health record pursuant to
36 this subsection, except such provider may charge a patient the amount
37 necessary to cover the cost of materials for furnishing a copy of an x-
38 ray, provided no such charge shall be made for furnishing a health
39 record or part thereof to a patient, a patient's attorney or authorized
40 representative if the record or part thereof is necessary for the purpose
41 of supporting a claim or appeal under any provision of the Social
42 Security Act and the request is accompanied by documentation of the
43 claim or appeal. A provider shall furnish a health record requested
44 pursuant to this section within thirty days of the request.

45 (d) If a provider reasonably determines that the information is
46 detrimental to the physical or mental health of the patient, or is likely
47 to cause the patient to harm himself or another, the provider may
48 withhold the information from the patient. The information may be

49 supplied to an appropriate third party or to another provider who may
50 release the information to the patient. If disclosure of information is
51 refused by a provider under this subsection, any person aggrieved
52 thereby may, within thirty days of such refusal, petition the superior
53 court for the judicial district in which such person resides for an order
54 requiring the provider to disclose the information. Such a proceeding
55 shall be privileged with respect to assignment for trial. The court, after
56 hearing and an in camera review of the information in question, shall
57 issue the order requested unless it determines that such disclosure
58 would be detrimental to the physical or mental health of the person or
59 is likely to cause the person to harm himself or another.

60 (e) The provisions of this section shall not apply to any information
61 relative to any psychiatric or psychological problems or conditions.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2009	20-7c
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Statement of Purpose:

To allow patients direct access to medical test results unless a medical provider indicates that such direct access would be harmful to the physical or mental health of the patient.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]